

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

LAVAR ELLIS,

Petitioner

vs.

UNITED STATES OF AMERICA

Respondent.

No. 4:07cr0077 SWW  
(No. 4:09cv00141 SWW)

right and that his motion seeking a certificate of appealability should be and hereby is denied.<sup>1</sup>

IT IS SO ORDERED this 27<sup>th</sup> day of July 2009.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE

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<sup>1</sup> In his motion for a certificate of appealability, Ellis states *inter alia* that this Court ruled on his § 2255 motion without allowing him access to transcripts. The Court notes that in his § 2255 motion, Ellis stated he would be filing a motion to produce records and transcripts once his § 2255 motion was filed with the Court. *See* Motion at 4 n.3 [doc.#25]. However, Ellis' § 2255 motion was filed February 26, 2009, and no motion to produce transcripts was filed until June 10, 2009, two weeks after this Court issued its Memorandum and Order denying Ellis' § 2255 motion.